

MARK C. CURRAN, JR.

SHERIFF

CHARLES E. FAGAN

UNDERSHERIFF

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OFFICE OF THE SHERIFF

Lake County, Illinois



Requirements for Conducting Foreclosure Sales

Terms of Sale: At least ten percent (10%) of the purchase price due by cash or certified funds at the time of the sale and the balance due within (2) two business days. The property offered for sale is subject to real estate taxes, special assessments or special taxes levied against said real estate and is offered for sale without any representation as to quality or quantity of title and without recourse to plaintiff and in "as is" condition. The sale is further subject to confirmation by the court.

Location of Sale: Lake County Sheriff's Office, Conference Room, 25 South Martin Luther King Jr. Avenue, Waukegan, Illinois at 9:00am every Tuesday and Thursday excluding the business day prior to and after all holidays.

Required Documents: At the time of setting a sale date with the Sheriff's Office, the attorney for plaintiff shall deliver a file-stamped, certified or conformed copy (*Judge's Signature/Stamp and Circuit Court File Stamp*) of the *Judgment or Order of Foreclosure* which shall include an adjudication of the date of expiration of the period of redemption. The Sale Date will be issued and considered set.

Certificate/Proof of Publication: The *Certificate/Proof of Publication* must be received in person or by fax/email no later than two (2) business days prior to the sale. The *Notice of Publication* must be published in a newspaper of general circulation in the county, at least three (3) consecutive calendar weeks (Sunday through Saturday) once in each week, the first such notice to be published not more than 45 days prior to the sale, the last such notice to be published not less than 7 days prior to the sale in accordance with 735 ILCS 5/15-1507.

Plaintiff/Lender Bidding: The Plaintiff/Lender may provide an opening bid in person at the sale. Advanced bids will be accepted via. U.S.Mail, fax or email by the Plaintiff-Lender no later than 5:00 p.m. the business day preceding the scheduled sale date. If the Plaintiff does not provide an opening bid, the sale will automatically be continued to the following sale date, unless a Court Order or Judgment ordering the sale specifies otherwise. Advanced bids will only be accepted from the Plaintiff and must be submitted on a Sheriff's Office [Official Bid Form](#) at:

<http://www.lakecountyil.gov/Sheriff/services/Documents/plaintiffOfficialBidForm.pdf>

Third-Party Bidders: All Third-Party Bidders must register with the selling officer prior to bidding on a property. Third-Party Bidders must have on their person at the time of sale, certified funds (cashier's check, money order or cash), equal to 10% of the amount of his/her highest bid. These funds will be verified during registration the morning of the sale.

Sale: The sale will be conducted in an open bidding format, with the Plaintiff making the opening bid; either in written or spoken form. During the sale, bids will only be accepted by the plaintiff and registered bidders with verified funds. All real estate contained within a *Judgment of Foreclosure* will be offered for sale in its *ENTIRETY* in satisfaction of the debt, unless otherwise specified by court order or upon request of the plaintiff to offer for sale; *ANY PART, PARCEL OR PORTION* of the real estate to be sold independently.

Funds: All checks must be made payable to, or endorsed over to "Sheriff of Lake County." All monies paid to the Sheriff's Office will be deposited into a special account and only disbursed by further order of the court.

Confirmation of the Sale: No later than the next business day after the sale, the Plaintiff's Attorney will prepare and submit the following documents for the selling officer's signature: *Certificate of Sale, Report of Sale, and Receipt of Sale*. These documents must be returned to the court to be approved at a *Confirmation Hearing*. The selling officer is not responsible for recording these documents with the court. *Confirmation Hearings* are scheduled by the Clerk of the Circuit Court.

Issuance of Sheriff's Deed: After the *Confirmation Hearing*, the successful bidder shall submit the *Order Approving Sale* and a completed *Deed* to the Sheriff's Office. The *Deed* will be issued after full payment of Sheriff's Commission fees.

- In the case of a successful third-party bidder, the DEED WILL NOT BE ISSUED until the balance of full bid is received by the Sheriff's Office.
- Deeds are not available to be issued while Sheriff's Sales are actively being conducted on Tuesday & Thursday mornings.

Fees: The total Sheriff's Commission Fee is \$500.00 per sale.

- A \$200.00 *non-refundable* initial payment of the Sheriff's Commission fee is due upon receipt of the *Judgment or Order of Foreclosure* and scheduling a sales date.
- The balance of the Sheriff's Commission fee of \$300.00 is due receipt of the File-stamped, conformed or certified copy of the *Order Approving Sale*.
- In the case of a sale of *unimproved real estate* which sells for *\$10,000.00 or less*, the Sheriff's fee shall not exceed \$150.00 and the balance of any fees collected will be refunded.
- If a Judgment for Foreclosure Order contains multiple PINs, which are divided at the sale and sold independently, an additional Sheriff's Commission Fee of \$500.00 will be assessed.

Cancellations & Continuances: Notice of cancellations or continuances will only be accepted from the Plaintiff and must be verified in written form via. Fax or email identifying the authorizing agent.

- In the event a sale is ***cancelled***, the case will be announced "cancelled" at the Sheriff's Sale on the scheduled sale date. The file is then closed and returned to the Circuit Clerk.
- In the event a previously ***cancelled*** case is to be re-scheduled for sale, the Plaintiff shall deliver a file-stamped, certified or conformed copy (*Judge's Signature/Stamp and Circuit Court File Stamp*) of the *Judgment or Order of Foreclosure* which shall include an adjudication of the date of expiration of the period of redemption, along with the new requested sale date. No additional commission fees are required to reset the sale.

- In the event a case is to be ***continued***, the new sale date will be announced at the Sheriff's Sale on the originally set sale date and the Sheriff's web-site will be updated to indicate the new sale date.
 - Note: If a sale is continued more than 59 days after the originally published sale date a new publication is required.

Required Documents: All required documents, including publication notices, will be substantially in accordance with the forms provided by the Clerk of the Circuit Court.

Records: All documents received by the Sheriff's Office pertinent to the sale will be filed with the Clerk of the Circuit Court at the conclusion of the case.

Contact Information: Lake County Sheriff's Office
Judicial Sales Division
25 S. Martin Luther King Jr. Avenue
Waukegan, Illinois 60085
Office: (847)-377-4401
Fax: (847)-984-5765

Web-site: <http://www.lakecountyil.gov/Sheriff/services/Foreclosures.htm>